DETAILED ACTION

1.   This is a **supplemental action** in response to the communication filed on 02/22/08, and a

request for interview held on May 13, 2009, and the action directs to the claims filed on

10/02/2007. This office action replaces the previous office action mailed on 2/13/09.

Claims 1-20 are pending in the application.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> (a) the invention was known or used by others in this country, or patented or described in
> a printed publication in this or a foreign country, before the invention thereof by the
> applicant for a patent.

> (b) the invention was patented or described in a printed publication in this or a foreign
> country or in public use or on sale in this country, more than one year prior to the date of
> application for patent in the United States.

3.   Claims 1, 5, 9, 13-15, and 17 are rejected under 35 U.S.C. 102(a) as being anticipated by

Leach, "Critical Chain Project Management Improves Project Performance" (hereinafter:

Leach1), and "Schedule and Cost Buffer Sizing" (hereinafter: Leach2), Advanced Project

Institute, Idaho.

As per Claim 1: Leach discloses,

A method on a computer for providing critical chain-based project management across a plurality of projects, comprising:

generating a plurality of project plans <u>having a critical chain</u>, each of the plurality of project plans corresponding to one of the plurality of projects, wherein a project comprises at least one task (See entire references; particularly, @Leach1: see Title and the broken chain; @ p.1 see Projects that use CCPM; see Figure 1, p.3, see p. 8)

generating buffers for each of the plurality of projects, <u>wherein at least one of the buffers generated is placed on the critical chain</u> (@Leach 1: e.g. p. 8, Fig. 5);

reconciling project resources among the plurality of projects <u>so as to accommodate the critical chain</u> (@Leach1, see Figure 3, p. 5, last paragraph); *executing the plurality of project plans*

(See entire references; particularly, @Leach1, p. 16: conclusion: applied CCPM).

<u>**continuously providing status information about the buffers to a user**</u>, **<u>and allowing the user</u> to manage the buffers across the plurality of projects <u>based on the status information about the buffers.</u>** (See entire references; particularly, @Leach 1, see in p. 8, <u>using</u> feeding buffer, where the buffer provide the measurement and control mechanism, associated with completion probabilities, means for measuring a feeding path, etc.; @Leach 2, see P. 12, and Exhibits, starts at p. 30).

As per claims 5: The claim 5 recites the limitations similarly as in claim 1, and adding further

limitations:

"continuously modifying task prioritization for any task of the plurality of projects based on

the status information about the buffers, wherein task prioritization is calculated across the

plurality of projects";

In light of the specification (according to a statement of record, Applicants direct the

specification (lines 1-6, @p.76)):

> (Spec)
>
> *Critical chain-based project management methodology includes two main components:*
> *the placement of buffers in the correct locations of a project plan and using the status of*
> *these buffers during execution to decide what tasks to focus on. This second component*
> *is called buffer management. The main idea of buffer management is that th rate at*
> *which buffers are depleting is monitored and priority is given to tasks that lie on chains*
> *where buffers are fast depleting.*
>
> Thus, the recitations, ***continuously modifying task prioritization,*** and ***task prioritization***
> ***is calculated across*** are only the acts upon a monitoring of a user or a team on a task
> and he decides to do up on the task.   the limitations read on the acts of the users/teams
> for monitoring project tasks by Leach (e.g. *@Leach 2: lines 1-12, p. 12)*. It is also
> shown in the teaching of Leach 1, where it shows the acts of monitoring performed by a
> project management team (*@Leach 1: p. 12*). The status of a buffer is shown as time,
> size, variations, duration, or percent complement (*@Leach2, p.31 and @Leach 1: p. 12*)
> which allows a team, a user to act upon; thus it allows *teams*, users, to be continuously
> modifying, such as removing, feeding, inserting the buffers across the project priority
> for accommodating the critical chain schedules (*in p. 12 of Leach2*).

As per claim 9: See the rationale addressed in the rejection of 1 and claim 5 above, and further

addressed to the recitation "providing the user with the user interface" (@Leach1 , p.1 see

Projects that use CCPM; p. 3, in Identify the Project Constraint: see Network configurations, and

@p16, item 5).

As per claims 13: See the rationale addressed in the rejection of claim 5.

As per claims 14: Regarding, "*providing an interface to the user that allows the user to manage the buffers across the plurality of projects based on the status information about the buffers*" @Leach1: refer to CCPM, @p. 3, Identify the Project Constraint: see Network configurations, @p.16: item 5: "primary tool".

As per claims 15: Regarding, "*wherein the interface further provides to the user information associated with buffers for the plurality of projects, so as to evaluate the status of the plurality of projects*" Refer to the monitor act as mention in the rejection of claims 1, and 5 above by user/team who monitors the projects tasks. E.g. @Leach1, p. 12, "project manager".

As per claims 17: See the rationale addressed in the rejection of claim 5.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 2-4, 6-8, 10-12, 16, and 18-20 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Leach, "Critical Chain Project Management Improves Project Performance"

(hereinafter: Leach1), and "Schedule and Cost Buffer Sizing" (hereinafter: Leach2), in view of

Microsoft Solution Framework, "MSF Project Management Discipline", p. 1-31, 6-2002

(hereinafter: MSF).

As per Claim 2: Leach has the User interface (the primary tool of CCPM) and suggests the use of

Network in general (@Leach1; p. 3, Identify the Project Constraint: see Network configurations),

but does not explicitly address "Network interface" as for "**providing status information about**

the buffers to a user via a network interface, in the manner as recited in claim 2:

>   *continuously providing status information about the buffers to a user via a network*
>
>   *interface.*

With the suggestion of the Network Configuration, and

See MSF, it provides the web (p. 16) so that a user can add the buffer time (@MSF, p. 29).

Web is common used in the art. When a user enters information using a project management at

his computer cache, he can do the same via to the project management connected via a Web link

of the Network. Leach mentions the Network, and Microsoft shows the common of Internet User

(p.16).

        Therefore, it is obvious to an ordinary in the art to utilize web link as Network interface

for conforming to the availability of Network, where the results for combination is predictable

because the use of Network interface is common. Network it is available for a user with UI for

communicating with a remote server; thus, a user, a team stay remotely but can enter, monitor

project data via the web/network communication interface.

As per Claim 3: In view of the use of Network by MSF, Leach further discloses, *The method of*

claim 2, further comprising:

continuously modifying task prioritization for any task of the plurality of projects based on the

status information about the buffers, wherein task prioritization is calculated across the plurality

of projects. See a rationale addressed in the rejection of claim 5.

As per Claim 4: In further view of MSF, Leach discloses *The method of claim 3, further*

comprising: providing to the user, over a network interface, the task prioritization that was

modified based on the status information about the buffers.

As noted that Leach discloses having the user/teams modifying task priority based on the status

information as addressed in the claim 5 above, but does not mention the use of the Network

connection for doing the acts as recited. For doing these, the obviousness was address in the

claim 2.

As per claims 6-8: See rationale addressed in claims 2-4.

As per claims 10-12: See rationale addressed in claims 2-4.

As per claim 16: See rationale addressed in claim 2.

As per claims 18-20: See rationale addressed in claims 2-4.

Conclusion

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Ted T. Vo whose telephone number is (571) 272-3706. The

examiner can normally be reached on 8:00AM to 4:30PM.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Wei Y. Zhen can be reached on (571) 272-3708.

        The facsimile number for the organization where this application or proceeding is

assigned is the Central Facsimile number 571-273-8300.

        Any inquiry of a general nature or relating to the status of this application should be

directed to the TC 2100 Group receptionist: 571-272-2100. Information regarding the status of

an application may be obtained from the Patent Application Information Retrieval (PAIR)

system. Status information for published applications may be obtained from either Private PAIR

or Public PAIR. Status information for unpublished applications is available through Private

PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov.

Should you have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free).

        TTV
        May 13, 2009

        /Ted T. Vo/
        Primary Examiner, Art Unit 2191